

TOWN OF NASHVILLE ORDINANCE NO. 2013-07

AN ORDINANCE TO AMEND THE NASHVILLE CODE OF ORDINANCES TO
INCLUDE CHAPTER 93: LITTERING

WHEREAS: The Nashville Town Council has elected to participate in the "CLEAN COMMUNITY PROJECT", and;

WHEREAS: The Nashville Code of Ordinances has heretofore not provided a specific chapter defining littering offenses and providing penalties therefore;

It is therefore **ORDAINED** that the **NASHVILLE CODE OF ORDINANCES** be and is **AMENDED** to include **CHAPTER 93** as attached hereto and made a part of this ordinance as "EXHIBIT A".

This ORDINANCE shall become effective upon passage and publication as required by law. All Ordinances in conflict herewith are **REPEALED**.

PASSED AND ADOPTED by the Nashville Town Council this 15th day of August 2013.

Council President Robert Kirlin yea nay abstain

Charles B. King yea nay abstain
Council Vice-President Charles B. King

R. Sean Cassiday yea nay abstain
Council Member R. Sean Cassiday

Jane Gore yea nay abstain
Council Member Jane Gore

Arthur Omberg yea nay abstain
Council Member Arthur Omberg

ATTEST:
Brenda K. Young
Clerk-Treasurer, Brenda K. Young

Town of Nashville Code of Ordinances

CHAPTER 93: LITTERING

Section

- 93.101 Definitions
- 93.102 Litter in public places
- 93.103 Placement of litter in receptacles so as to prevent scattering
- 93.104 Sweeping litter in gutters prohibited
- 93.106 Litter thrown from vehicles
- 93.107 Truck loads causing litter
- 93.108 Litter in private places
- 93.109 Owner to maintain premises free of litter
- 93.999 Penalty

93.101 DEFINITIONS.

For the purpose of this chapter the following definitions shall apply unless the context clearly indicates or requires a different meaning.

LITTER. Means *Garbage* and *Rubbish* as these terms are commonly used and defined herein, newspapers, handbills, circulars, paper and plastic waste items, food wrappers and beverage containers, and all other waste material which, if thrown or deposited as herein prohibited, tends to create a danger to public health, safety and welfare.

GARBAGE. Means rejected food wastes and shall include every waste, accumulation of animal, fruit or vegetable matter used or intended for food or used in the preparation, use, cooking, sale or storage of meat, fish, fowl, vegetables or fruits.

RUBBISH. Means such matter as ashes, cans, metalware, broken glass, crockery, foul and filthy substances, dirt, sweepings, boxes, wood, grass, weeds and waste matter of any kind.

93.102 LITTER IN PUBLIC PLACES.

No person shall throw or deposit litter in or upon any street, sidewalk or other public place within the town except in public receptacles or in authorized private receptacles for collection.

93.103 PLACEMENT OF LITTER IN RECEPTACLES SO AS TO PREVENT SCATTERING.

Persons placing litter in public receptacles or in authorized private receptacles shall do so in such a manner as to prevent it from being carried or deposited by the elements upon any street, sidewalk or other public place or upon private property.

93.104 SWEEPING LITTER IN GUTTERS PROHIBITED.

No person shall sweep into or deposit in any gutter, street or other public place within the town the accumulation of litter from any building or lot or from any public or private sidewalk or driveway. Persons owning or occupying property shall keep the sidewalk in front of their premises free of litter.

93.106 LITTER THROWN FROM VEHICLES.

No person, while a driver or passenger in a vehicle, shall throw or deposit litter upon any street or other public place within the town, or upon private property.

93.107 TRUCK LOADS CAUSING LITTER.

No person shall drive or move any truck or other vehicle within the town unless such vehicle is so constructed or loaded as to prevent any load, contents or litter from being blown or deposited upon any street, alley or other public place. No person shall drive or move any vehicle or truck within the town, the wheels or tires of which carry onto or deposit in any street, alley or other public place, mud, dirt, sticky substances, litter or foreign matter of any kind.

93.108 LITTER IN PRIVATE PLACES.

No person shall throw or deposit litter in or upon any private property within the town, whether owned by such person or not, except that the owner or person in control of private property may maintain private receptacles for collection in such manner that litter will be prevented from being carried or deposited by the elements upon any street, sidewalk or other public place or upon any private property.

93.109 OWNER TO MAINTAIN PREMISES FREE OF LITTER.

The owner or person in control of any private property shall at all times maintain the premises free of litter; provided, however, that this section shall not prohibit the storage of litter in authorized private receptacles for collection.

93.999 PENALTY.

(F) Whoever violates any of the provisions of this chapter shall be fined not less than \$50 for the first offense, \$200 for the second offense, and \$400 for each subsequent offense. The payment of a penalty for the violation of any provision of this chapter shall not excuse the violation or permit to continue nor shall such payment be held to prevent the enforced correction of the prohibited conditions. A separate offense shall be deemed committed upon each day during or on which such violation occurs or continues.